

STATE OF MINNESOTA  
OFFICE OF ADMINISTRATIVE HEARINGS  
FOR THE BOARD OF PRIVATE DETECTIVE  
AND PROTECTIVE AGENT SERVICES

In the Matter of the License Revocation of  
Security & Safety Consultants, Inc., d/b/a  
Reco Security & Safety Consultants, Inc.,  
d/b/a Reco Security.

**FINDINGS OF FACT,  
CONCLUSIONS AND  
RECOMMENDATION**

This matter came on for hearing before Administrative Law Judge Allan W. Klein commencing at 9:30 a.m. on Thursday, June 19, 2003 at the Office of Administrative Hearings in Minneapolis, Minnesota. The hearing was held pursuant to a Notice of and Order for Hearing dated May 13, 2003. The record closed at the conclusion of the hearing on June 19.

Francis Green III, Assistant Attorney General, 525 Park Street, Suite 500, St. Paul, MN 55103-2106 appeared on behalf of the Minnesota Private Detective and Protective Agent Services Board ("Board").

There was no appearance by or on behalf of Security & Safety Consultants, Inc., P. O. Box 17160, 1319 Frost Avenue, St. Paul, MN 55117 ("Licensee").

This Report is a recommendation, not a final decision. The Board of Private Detective & Protective Agent Services will make the final decision after a review of the record. The Board may adopt, reject or modify the Findings of Fact, Conclusions, and Recommendations. Under Minn. Stat. § 14.61, the final decision of the Board shall not be made until this Report has been made available to the parties to the proceeding for at least ten days. An opportunity must be afforded to each party adversely affected by this Report to file exceptions and present argument to the Board. Parties should contact Marie Ohman, Executive Director of the Board, 445 Minnesota Street, Suite 530, St. Paul, MN 55101-5530 to ascertain the procedure for filing exceptions or presenting argument.

If the Board fails to issue a final decision within 90 days of the close of the record, this report will constitute the final agency decision under Minn. Stat. § 14.62, subd. 2a. The record closes upon the filing of exceptions to the report and the presentation of argument to the Board or upon the expiration of the deadline for doing so. The Board must notify the parties and the Administrative Law Judge of the date on which the record closes.

**STATEMENT OF ISSUES**

Whether the Licensee has failed to provide adequate proof of insurance, as required by Minn. Stat. § 326.3382, subd. 3(c), (d) (2002); and has failed to

communicate with the Board as required by Minn. Rule Part 7506.0150, Subp. 3 (2001)?

### **FINDINGS OF FACT**

1. On May 15, 2003, the Board served a copy of the Notice of and Order for Hearing upon Licensee by mailing it Billeigh H. Riser, Qualified Representative, Security & Safety Consultants Inc., P. O. Box 17160, 1319 Frost Avenue, St. Paul, MN 55117. An Affidavit of Service by U.S. Mail was made by Judy Brown on behalf of the Board, and is part of the file herein.

2. The Notice of and Order for Hearing provides, in part, as follows:

Licensee's failure to appear at the hearing may result in a Finding that Licensee is in default, that Board's allegations contained in this Notice and Order may be accepted as true, and its proposed action may be upheld.

If any party has good cause for requesting a delay of the hearing, the request must be made in writing to the Administrative Law Judge at least five days prior to the hearing. A copy of the request must be served on the other party.

Any party intending to appear at the hearing must file a Notice of Appearance form and return it to the Administrative Law Judge within 20 days of the date of service of this Notice and Order. A copy must be served on the Board's attorney. A Notice of Appearance form is enclosed.

3. The Licensee failed to appear at the hearing, made no prehearing request for a continuance or other relief, and failed to file a Notice of Appearance.

4. The allegations set forth in the Notice of and Order for Hearing are hereby adopted as true.

Based upon the foregoing Findings of Fact, the Administrative Law Judge makes the following:

### **CONCLUSIONS**

1. The Minnesota Private Detective and Protective Agent Services Board and the Administrative Law Judge have authority to consider the issues raised by the Board's Notice of and Order for Hearing pursuant to Minn. Stat. § 326.3387 and 14.50 (2002).

2. The Licensee received proper notice of the charges against it and of the time and place of the hearing.

3. The Board has complied with all relevant substantive and procedural requirements of statute and rule.

4. Under Minn. Rule 1400.6000, a default occurs when a party fails to appear without the prior consent of the Judge at a hearing. Licensee is in default in this matter.

5. Licensee has failed to comply with Minn. Stat. § 326.3383, subd. 3, because it has failed to provide adequate proof of insurance.

6. Licensee has failed to comply with Minn. Rule Part 7506.0150, Subp. 3.

Based on the foregoing Conclusions, the Administrative Law Judge makes the following:

**RECOMMENDATION**

That the Board take disciplinary action against the Licensee.

Dated this 1st day of July, 2003

/s/ Allan W. Klein

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ALLAN W. KLEIN  
Administrative Law Judge

Reported: Default